



Delegation of operational functions and powers under the Oranga Tamariki Act

This document identifies those functions and powers which have been delegated by the Chief Executive of the Ministry for Children, Oranga Tamariki. The Ministry for Children, Oranga Tamariki, provides this information on its public facing website in accordance with section 7F of the Oranga Tamariki Act.

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Table of abbreviations

The following abbreviations are used in the delegations tables below:

Abbreviation	In full
Assoc RM	Associate Regional Manager
CPC	Care and Protection co-ordinator
CFSS	Child and Family Support Service
CPRP	Care and Protection Resource Panel
Chairperson CPRP	Chairperson Child Protection Resource Panel
CSS	Cultural Social Service
DCE North	Deputy Chief Executive Oranga Tamariki North
DCE South	Deputy Chief Executive Oranga Tamariki South
DCE Youth Justice Services	Deputy Chief Executive Oranga Tamariki Youth Justice Services
DCE Care Services	Deputy Chief Executive Oranga Tamariki Care Services
DCE Chief Social Worker/Director of Professional Practice	Deputy Chief Executive Oranga Tamariki Chief Social Worker/Director of Professional Practice
FH	Family Home
FH caregivers	Family Home Caregivers
GM YJ Res	General Manager Youth Justice Residence
HFCA	Higher Foster Care Allowance
Iwi SS	Iwi Social Service
Minister	The Minister, who is, with the authority of the Prime Minister, for the time being responsible for the administration of the Oranga Tamariki Act 1989
NZ	New Zealand
Prac Manager	Practice Manager – Residence or Call Centre
Prac Leader	Practice Leader – Field
Reg Manager	Regional Manager
Res Manager	Residential Manager
ROC	Report of Concern

Abbreviation	In full
RSW	Residential social worker
Res Sup	Residential Supervisor
Sup	Supervisor
SW	Social worker
TL	Team Leader, Administration
YJC	Youth Justice co-ordinator
YJ Manager	Youth Justice Manager
YJSW	Youth Justice Social Worker

Delegation rules

- Some delegated authorities require (and as soon as practicable) the person with the authority to exercise this in consultation and with input from a supervisor or next level manager. In these cases the delegated level is marked with •.
- Some delegated authorities require (and as soon as practicable) the person with the authority to exercise this in consultation and with input from a Ministry solicitor. In these cases the delegated level is marked with *

General delegation

- Delegation is given to Anita West, Director, Office of Chief Executive to exercise all functions and powers delegated to non social-workers specified in this document.

Investigation assessment: care and protection

This section covers the authority required to perform each investigation assessment task.

Intake

Function/Task	Level
Receive Report of Concern (ROC) (s15)	SW

Investigation and assessment of care or protection notifications [Report of Concern]

Function/Task	Level
Decide if investigation into matters contained in ROC is necessary or desirable (s17(1)(a))	SW •
If decision not to investigate, (unless impracticable or undesirable) inform person who made the report that report not investigated (s17(1)(c))	SW •
Investigate or arrange investigation into matters contained in ROC (s17(1)(a))	SW •
Consult CPRP in relation to investigation (s17(1)(b))	SW •
After investigation, decide if there is reasonable belief that child is in need of care and protection (s17(2))	SW •
Notify C&P co-ordinator of reasonable belief (formed after inquiry) that child is in need of care and protection (ss17(2) and 18(1))	SW •
After investigation concluded, (unless impracticable or undesirable) inform person who made the report that report has been investigated and whether further action taken (s17(1)(c))	SW

Assessment of Parent of Subsequent Child

Function/Task	Level
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Decide if there are reasonable grounds to believe that section 18A(1) applies to a person (s18A(2))	SW •
Inform the person that he/she is to be assessed as a parent of a subsequent child (s18A(2))	SW
Assess whether the person meets the requirements of section 18A(3) in respect of the subsequent child including whether section 18A(5) applies (s18A(2) and (5))	SW
Decision to apply for a declaration that the subsequent child is in need of care or protection on ground in s14(1)(ba) or not to apply on that ground (s18A(4)(a) and (b))	SW •*
Make application for declaration or for confirmation of decision not to apply for declaration (s18A(4))	SW *
If required by the Court (in an application for confirmation)— provide any information the Court requires (s18C(4)(d)(i)) reconsider all or part of the assessment under s18A and report to the Court (s18C(4)(d)(ii))	SW *
If Court declines to confirm decision not to apply for declaration, attend any FGC convened under s72(3) (s18D(b))	SW

Production of documents relevant to investigation

Function/Task	Level
Decide whether there is a belief on reasonable grounds that person has document that contains, or is likely to contain, information necessary or relevant to determining whether child or young person is in need of care or protection (s59(1)(a)).	SW •*
Apply for Court order for production of documents if person has refused to allow that document to be inspected. (s59(1)).	SW •*
Remove, retain or copy documents. (s63)	SW •*
Require a government department, instrument of the Crown or statutory body to supply information in its possession required to determine whether child or young person in need of care or protection or for proceedings under Part 2 of CYPF Act (s66).	SW •

Emergency actions

Function/Task	Level
Apply to District Court Judge or, if unavailable, to an issuing officer for a place of safety warrant (s39(2))	SW *
Execute place of safety warrant issued in favour of Chief Executive (s39(1A))	SW •
Enter and search for child and young person under warrant (s39(3)(a))	SW •
Remove or detain child or young person, or direct medical superintendent of hospital to keep child or young person in that hospital, if believe on reasonable grounds that child or young person has or is likely to suffer ill-treatment, serious neglect, abuse, serious deprivation, or serious harm. (s39(3)(b))	SW •
Apply to District Court Judge or, if unavailable, to an issuing officer for warrant to remove (s40(2))	SW *
Execute warrant to remove issued in favour of Chief Executive (s40(1A))	SW •
Enter and search for child and young person under warrant (s40(4)(a))	SW •
Remove or detain child or young person, or direct medical superintendent of hospital to keep child or young person in that hospital. (s40(4)(b))	SW•
Receive delivery of unaccompanied child or young person placed in Chief Executive's custody by a constable (s48(1))	SW •
Detain unaccompanied child or young person or detain the child or young person in a residence until first of events set out in s48(2)(a) to (c) occurs (s48(2)).	SW •
Return unaccompanied child or young person who agrees to returned to a person or guardian or other person usually having the care of the child or young person who is willing to have care (s48(2)(a))	SW

Medical Examination

Functions/Tasks	Level
Apply to Court for an order for child or young person to undergo a medical examination by a medical practitioner# (s49(2))	SW
Arrange for any child or young person with the consent of any parent or guardian, to be medically examined by a medical practitioner. (S53(2))	SW
Require child or young person to be medically examined by a medical practitioner# where, after reasonable efforts, a social worker does not obtain	SW •*

consent of a parent or guardian. (s53(3))	
Nominate an adult who consents to be present during the child or young person's medical examination if, the age of maturity of the child or young person makes it impracticable for him or her to make the nomination. (s54(a))	SW •

#Note that the references to a medical practitioner in ss49 and 53 will be changed to a health practitioner qualified for the purpose on a date yet to be determined.

Application for Declaration

Functions/Tasks	Level
Make an application to the Family Court for a declaration that the child or young person is in need of care and protection. (ss18A(4)(a), 67(1), 68(1))	SW*
Make joint application for declaration with parent or guardian or other person having care of child or young person (s69)	SW*
Decision to apply for declaration where no FGC has been held and that an exception applies. (s70)	SW •*
Make a joint application for a declaration that child is in need of care and protection with a parent, guardian, or other person having the care of the child or young person. (s69)	SW *

Application for an interim restraining order

Functions/Task	Level
Make application for an interim restraining order. (s88)	SW *

Application for custody pending determination of proceedings (with or without Notice)

Functions/Task	Level
Apply to the Family Court for a custody order pending determination of proceedings under Part 2 where Chief Executive is party to proceedings (s78)	SW *

Responsibilities relating to custody, access and other C&P issues

Functions/Tasks	Level
Place a child or young person in the Chief Executive's custody under a s78 custody order with such person, or in such residence, as the principal manager for the area in which the court is situated may direct using such force as is reasonably necessary for the purpose (s104(2)(a) and (3) as applied by s80)	SW •
Place a child or young person in the Chief Executive's custody under a s78 custody order: (a) with a member of the child's or young person's family, whānau or family group: (s81(a)) (b) in a residence (s81(b))	SW •
Make changes to placement of a child or young person during the currency of the s78 Custody order. (s81(2))	SW •
Return the child or young person, if appropriate, before the s78 custody order expires or is discharged, to the custody of the parent or guardian or other person who had the care of the child or young person immediately before the order was made (s82(2))	SW •*
Direct that the child or young person be returned to the custody of the CE, if it is no longer desirable or in the interest of the child or young person to remain in the custody of that other person. (s82(4))	SW •*
Impose conditions relating to the supervision of the child or young person who is returned to the custody of the parent or guardian or person who had the care of the child or young person immediately before the order was made (s82(3))	SW •*
Consult lawyer for Child prior to returning child or young person pursuant to s82(2). (s82(5))	SW •*
Consult lawyer for child prior to issuing a direction under s82(4)). (s82(5))	SW •*
If direction is given pursuant to (s82(4)) (a) remove child or young person to whom the direction relates, using such force as is reasonably necessary for the purpose; (s82(6)(a)) (b) place the child or young person with a person or in a residence as appropriate (s82)(6)(b)) Arrange for the child or young person to be placed in any residence, school or other institution that provides care or training or physical or mental health. care: (s105 (1)(b)(ii) as applied by s80) Arrange for the child or young person to undertake employment or any training	SW • SW • SW •

Functions/Tasks	Level
<p>for employment (s105(1)(b)(iii) as applied by s80)</p> <p>Cancel any of arrangement made under s105(1)(b)(ii) or (iii) and remove child or young person to a residence or other place decided by the delegate using such force as is reasonably necessary for the purpose. (s105(1)(d) as applied by s80)</p> <p>For purpose of removing child or young person, enter and search any dwelling house, building, aircraft, ship, carriage, vehicle, premises, or place with or without assistance and by force if necessary (s105(2) as applied by s80)</p> <p>Subject to any order made under s121, decide whether and on what terms and conditions (if any) that any person is to have access to the child or young person (s107 as applied by s80)</p>	<p>SW •</p> <p>SW •</p> <p>SW •</p>
Place child or young person with a person referred to in s43(1)(a) to (d) or in a residence (s43(1) and (2))	SW
Release child or young person from Chief Executive's custody. (s43(3))	SW
Bring child or young person before court not later than 5 th day after placement in Chief Executive's custody (unless released or s78 order made) (s45(a))	SW
Keep child or young person in Chief Executives custody until brought before court or for any further period directed by a Family Court Judge (s45(b))	SW
Report to Commissioner for Children on release from custody, before being required by section 45(a) to be brought before the Court. (s47(1) and (2))	SW

Preventing removal of a child or young person from New Zealand

Functions/Tasks	Level
Apply for warrant to prevent removal of child from NZ (s205(2)(b))	SW*
Execute warrant and take possession of child, using such reasonable force as may be necessary to do so, and place the child in the custody of the Chief Executive pending the order or further order of the court (s205(2A) and (2B))	SW

Family Whanau Agreements

Functions/Tasks	Level
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Decision to refer belief after inquiry that child or young person is in need of care or protection to a CPC pursuant to section 18(1).	SW •
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Care and Protection: Family Group Conference

S 18 -Referral to C&P co-ordinator

Function/Task	Level
Report belief formed after inquiry that a child young person is in need of care or protection (except on grounds in section 14(1)(ba) or (e)) to a C & P co-ordinator (s18(1))	SW •
Refer suspicion that child is in need of care and protection on ground in section 14(1)(e) to Police or other appropriate enforcement agency (S18(2))	SW •

Pre-FGC

Conduct investigation as arranged by CPC (s19(3))	SW •
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Post-FGC

Decision to not give effect to decisions, recommendations or plans of the FGC because it is impracticable, unreasonable, or clearly inconsistent with the principles of the Act in ss5, 6, and 13. (s34)(1))	Practice Leader
Decision to provide financial assistance (s34)(2) (within limits given by financial delegations)	Site Manager
Accept report from CPC made to Chief Executive (s31)(c)(ii)	SW •
Decision on appropriate action where CPC reports non-agreement at FGC or non-agreement to decisions, recommendations, or plans of FGC under s30, to Chief Executive. (s31(2)) Decision on appropriate action where CPC reports non-agreement at FGC or non-agreement to decisions, recommendations, or plans of FGC under s30, to the Chief Executive's delegate who made the report under s18(1) on which the	SW • Chief Executive's delegate (as

conference was convened) (s31(2))	person to whom report made) •
Maintain records of decisions, recommendations and plans of FGC. (s33(1))	Responsible Site Manager
Decision whether person has genuine and property interest for access to decisions, recommendations and plans of FGC. (s33(2)(d))	CPC•
Reconvene FGC to review decisions, recommendations, or plans of FGC: <ul style="list-style-type: none"> • before specified review date (unless s36(1A) applies) (s36(1)(a)) • if required by the Chief Executive in accordance with s36(2) (s36(1)(b)) • if required by Iwi SS, CSS, or CFSS who referred matter to CPC under s19(1) or is directly involved in implantation of FGC decisions, recommendations, or plans (s36(1)(c)) • on CPC's own motion or at request of 2 or more members of FGC (s36(1)(d)) Decision that no further action required or that specified order has been made (s36(1A)).	CPC
Require CPC to reconvene conference (because change of circumstances means FGC decisions, recommendations, or plans no longer adequately address child's or young person's needs (s36(2))	SW

Family Court actions

Application for Variation or Discharge of Orders

Functions/Task	Level
Make application under s125 for variation or discharge or suspension or discharge of conditions of an order. (s126(g))	SW •*
Application under section 158(3) for a determination that there is no realistic possibility that a child or young person will be returned to the parent or guardian or person having the care of the child or young person before the order under section 48 of the Care of Children Act 2004 was made.	SW

Pending determination of application

Function/Task	Level
Apply for interim support order (s92)	SW*
Apply for interim restraining order (s88)	SW*

Reports and plans

Guidelines for section 186 reports to Court (after consultation with Principal Family Court Judge). (s186(3)(a))	Manager Professional Practice
Prepare plan if the Chief Executive is directed by the Court to prepare plan. (s129(1))	SW •
Consult on plan prepared by person who is not the Chief Executive's delegate (s129(1A))	SW
Review plan (if the Chief Executive was directed to review plan) and report to Court setting out results with revised plan. (s135(1) and (2))	SW •
Convene FGC for purposes of reviewing plan, if requested by person required to review plan (discretionary if plan relates only to services order) (s135(4))	CPC
Ask the court to obtain a cultural and community report after consultation (s187(2))	SW •

Orders under Part 2 of the Act

General

Functions/Tasks	Level
Apply for the following orders: <ul style="list-style-type: none"> • custody order under section 78 (s78(1)) • interim support order (s92) • interim restraining order (s88) 	SW •*
Make representation to Court when the Chief Executive is guardian or additional guardian. (s169(2))	SW •*

Functions/Tasks	Level
Attend proceedings in Family Court when Chief Executive is applicant or respondent (s166(1)(l))	SW

Services orders

Functions/Tasks	Level
Present reasons to the Court as to why a services order against the chief executive should not be made (s86)(3))	Practice Leader *
Consent to services orders being made that requires the Chief Executive to provide services or assistance s86(2)	Site Manager

Support orders

Functions/Tasks	Level
Present reasons to the Court why a support order against the Chief Executive should not be made. (s91(3))	Practice Leader*
Consent to support orders being made that require Chief Executive to provide support. (s91(2)(c))	Site Manager
Where the Chief Executive is directed to provide support to child or young person under s91 or 92 order: <ul style="list-style-type: none"> • monitor standard of care, protection, and control to and over child or young person (s93(a)) • provide or co-ordinate the provision of services and resources as will ensure appropriate care, protection, and control to and over child or young person (s93(b)) 	SW
For the purpose of the court imposing a condition of a support order requiring a child or young person under the age of 16 years) to undergo any medical, psychiatric or psychological examination, treatment, counselling or therapy, give consent to the examination, treatment, counselling, or therapy if no parent or guardian or person acting in place of a parent capable of giving consent is able to be found in New Zealand. (s98(a))	SW •*
Report to Court on effectiveness of support order on its expiry. (s99)	SW*
Make application to Court for a declaration that a person has failed to comply with a condition of a support order without reasonable excuse. (s100)	SW •*

Custody orders

Functions/Tasks	Level
Application under section 83(2B) for a determination that there is no realistic possibility that a child or young person will be returned to the parent or guardian or person having the care of the child or young person before the order under section 101 or section 110 was made.	SW
Place child or young person to whom custody order under s101 relates using such force as reasonably necessary (s104(2))	SW
Authorise person other than a delegate of the Chief Executive to place a child or young person who is subject to a custody order under s101. (s104(2))	Practice Leader
If s101 order places child or young person in custody of Chief Executive, decision on the person with whom or residence in which the child or young person may be placed. (s104(2)(a))	SW •
Decision on living arrangements for children and young persons placed in custody pursuant to section 101 (other than a Residence). (s105(1))	SW

Residences

Functions/Tasks	Level
Decision to approve placement of a child or young person in Residence established under s364 (s365).	Res Sup in consultation with Residential Services National Office Advisor
Transfer the child or young person from one residence under this act to another residence under this act. (s105(1)(a))	Res Manager
Arrange for child or young person to be placed in any residence (s105(1)(b)(i))	SW •
Arrange for the child or young person to be placed in any school or institution that provides care or training, or physical or mental health care (s105(1)(b)(ii))	SW •
Arrange for child or young person to undertake employment or any training for employment (s105(1)(b)(iii))	SW •
Arrange for child or young person to live temporarily with the parents or guardians or other person previously having the care of the child or young person, on such terms and conditions the delegate may specify (s105(1)(c))	SW •

Functions/Tasks	Level
Cancel any arrangement under section 105(1)(b) or (c) and remove child or young person to a residence or another place the delegate decides. (s105(1)(d))	SW •
For purpose of removing child or young person under s105(1)(d), enter and search by force if necessary. (s105(2))	SW •*
If Chief Executive is requested to do so, assist in carrying out direction by IwiSS, CSS, or CFSS to remove child or young person in that Service's custody under s101 from one placement under s104 and place with another person or residence using such force as reasonably necessary (s106(1)(b) and (2))	SW
For the purpose of assisting to carry out the direction, exercise the powers conferred by s105(2) (s106(3))	SW
Decision on access, terms and conditions of a child or young person in Chief Executive's custody under s101 in absence of court order under s113B(1)(b) or s121 (s107)	SW •

Guardianship orders

Functions/Tasks	Level
Decision to apply to Court to settle dispute between Chief Executive as additional guardian and other guardians.(s115)	SW •*
Exercise the functions and powers of a sole or additional guardian or a guardian for a particular purpose under an order under s110 appointing Chief Executive as sole or additional guardian or for a particular purpose (ss110 and 114)	SW

Other decisions in the course of proceedings

Recall

Functions/Tasks	Level
Application for an order for recall before the Court. (ss83)(1)(b)), (85)(1)(a))	SW •*

Medical, psychological or psychiatric reports

Functions/Tasks	Level
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<p>Application to court to order medical, psychological or psychiatric report:</p> <ul style="list-style-type: none"> • of child or young person (s178(1)) • of parent, guardian, or other person having the care of the child or young person, or person proposed to have care of child or young person, with consent (s178(2) and (3)) 	SW
Nominate 1 adult to be present with the child during the medical, psychological or psychiatric examination, if the child or young person's age or the level of maturity of the child or young person makes it impracticable for him or her to make such a nomination (s179(4)(a))	SW • *
Application for an extension of time in which child or young person may be detained under order for psychiatric assessment. (s181(2))	SW *
<p>Detain the child or young person for the purpose of ensuring compliance with an order for psychiatric assessment (s181(4)(a) and (5)).</p> <p>Transfer child or young person from a residence to a psychiatric hospital (s181(4)(b))</p> <p>Return child or young person to the residence in which detained prior to transfer to hospital (s181(4)(d))</p>	SW •

Rehearings

Functions/Tasks	Level
Make application for a rehearing. (s204)	SW *

Other provisions relating to Family Court proceedings

Appointment of persons to represent child or young person or assist Court

Functions/Tasks	Level
Application to court for appointment of lay advocate (s163)	SW *

Mediation conferences

Functions/Tasks	Level
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Ask registrar of the Family Court to arrange a mediation conference (S170)	SW*
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Allegations of abuse or neglect in relation to caregivers

Alleged abuse in family home

Functions/Task	Level
Transfer resident children and young persons to other placements or residences (ss 105(1)(a), and 362)	SW

Children or young persons in the care, custody, or guardianship of the Chief Executive

Care agreements

Section 139 temporary care agreement

Functions/Tasks	Level
Enter temporary care agreement on behalf of Chief Executive. (s139)	SW •
Exercise power to place, in conjunction with parents, guardians, or usual caregivers. (ss104, 105, and s148)	SW
Decision on change of placement, in conjunction with parents, guardians, or usual caregivers. (s105)	SW •
Decision to enter a second consecutive temporary care agreement. (s139(2))	Sup

Section 140 extended care agreement

Functions/Tasks	Level
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Functions/Tasks	Level
Represent Chief Executive at FGC to discuss proposed s140 agreement that proposes placement of child or young person in Chief Executive's care (s22(1)(f)).	SW
Ensure consent of child aged 12 or over or young person is given to proposed agreement (s144(1))	SW
Ascertain wishes of child or young person where practicable and give them due consideration in concluding terms of agreement (s144(3))	SW
Enter an extended care agreement on behalf of Chief Executive. (ss140(1)(a))	Sup
Exercise Chief Executive's powers of placement and change of placement in accordance with ss104 and 105. (s148)	SW •
Exercise Chief Executive's power to terminate agreement. <ul style="list-style-type: none"> • in manner specified in agreement (s146(1)(c)) • on decision of FGC. (s146(2)) (requires that the 7 day notice must be specified in the agreement, if no (other) manner is specified. 	SW •

Section 141 extended care agreement

Functions/Tasks	Level
Where Chief Executive is guardian, giving of agreement to place child or young person with Iwi SS, Cultural SS, or CFSS. (s141)	Practice Leader

Sole guardianship where court has not made a custody order

Functions/Tasks	Level
Exercise powers of placement and changes of placement in accordance with ss104 and 105. (s114(2)(c))	SW •

Other placement issues

Functions/Tasks	Level
Consent to the appointment of the Chief Executive as a guardian for the purpose of giving consent to an adoption. (s112)	Site Manager *

Medical treatment – under Care agreements

Functions/Tasks	Level
If agreement under s139 or 140 provides for Chief Executive to consent to medical surgical, or dental procedure, give consent to that procedure that a guardian may give under s36(3) Care of Children Act 2004 (s149)	SW

Medical Treatment – Chief Executive as custodian under sections 78, 101 and 102

Functions/Tasks	Level
Consent to routine medical treatment (s104(1)(a))	SW

Care payments

Functions/Tasks	Level
Determine rates of payment to persons or organisations providing care for a child or young person placed pursuant to section 362. (s363(1))	DCE Care Services
Approval to pay a higher rate of care allowance (HFCA) to meet special and ongoing needs. (s363(3))	Site Manager

Marriage or civil union

Functions/Tasks	Level
Consent to the marriage or civil union of a young person where Chief Executive is guardian. (s114)	DCE North or South as appropriate

Personal finances and property

Functions/Tasks	Level
Authority to exercise control over the earnings and other income of any young	SW

person who is in care, custody or guardianship. (s390(1) and (2))	
Pay out all money standing to the credit of young person when young person is discharged from care, custody or guardianship. (s390(3))	SW
Decision to impose on child or young person a charge to meet expenses of providing care, not exceeding 25% of his or her net earnings and other income. (s391)	Practice Leader
Apply to the Family Court to appoint a manager under the Protection of Personal and Property Rights Act 1988 to manage the property of children and young persons subject to guardianship or custody orders. (s392)	Sup *

Personal finances and property

Functions/Tasks	Level
Authority to exercise control over the earnings and other income of any young person who is in care, custody or guardianship. (s390(1) and (2))	SW

Financial and other assistance to permanent caregivers

Functions/Tasks	Level
Decision to provide financial and other assistance to a permanent caregiver of a child or young person (s388A and 389)	Managing Director, Permanent Care Support Service, and Manager, Permanent Care Support Service, Kiistone Business Infrastructure Limited

Overseas travel – placement, extended period and holiday

Functions/Tasks	Level
Approval of overseas travel for the purposes of a holiday for a child or young person in the custody or guardianship of the Chief Executive where guardians	Site Manager

agree. (s104 or s114)	
Approval of any overseas travel for the purposes of a holiday for a child or young person in the custody or guardianship of the Chief Executive where guardians object or do not agree (s104 or s114)	DCE North or DCE South as appropriate
Approval for overseas travel for an extended period of time, with usual caregivers, where the guardians agree for a child in the custody or guardianship of the Chief Executive. (s104 or s114)	Regional Manager
Approval for overseas travel for an extended period of time, with usual caregivers, where the guardians do not agree for a child in the custody or guardianship of the Chief Executive (s104 or s114)	DCE North or DCE South as appropriate
Approval for overseas placement for a child or young person in the custody or guardianship of the Chief Executive where guardians agree. (s104 or s114)	DCE North or DCE South as appropriate
Approval of overseas placement for child or young person in the custody or guardianship of the Chief Executive where guardians object or do not agree (s104 or s114)	DCE North or DCE South as appropriate

Transfer of orders overseas and disclosure of information

Functions/Tasks	Level
Decision to apply for an order transferring a protection order or proceedings to a participating State (Australia). [s207K and 207Q]	SW (Prior consultation with Site Manager and a solicitor, and agreement of the ILO required)
Application to make an order transferring a protection order or proceedings to a participating State (Australia). [s207K and 207Q]	SW (Prior consultation with a solicitor required and agreement of ILOs (Aus and NZ))
Disclosure of information to interstate officer necessary or desirable to enable performance of duties or exercise of powers under child welfare law or interstate law under section 207ZL	ILO

Warrant/order preventing removal

Functions/Tasks	Level
Decision to apply for an order or warrant to prevent the removal from New Zealand of a child or young person who is the subject of a section 67 application. [s205]	SW •*

Care and Protection Resource Panels (CPRP)

Functions/Tasks	Level
Authority to establish CPRP. (s428(1))	Site Manager
Decision on number of members of CPRP. (s428(2))	Site Manager
Appoint members of CPRP. (s428(2))	Site Manager
Setting of fees for CPRP members in accordance with Fees and Travelling Allowances Act 1951. (s432(2))	General Manager People and Leadership
Revocation of appointment to CPRP.(s428(4))	Site Manager with advice to Regional Manager
Authorisation for the payment of fees and allowances to members of CPRP. (s432)	Site Manager
Consult with the CPRP about the matters relating to the appointment of C&P co-ordinator. (s429(d))	Site Manager
Completion of annual report to the Chief Executive on CPRP functions.(s431)	Chairperson CPRP

Reporting the death of a child or young person

Functions/Tasks	Level
Receive report of death of child or young person in care or custody or guardianship of iwi or cultural social service or child and family support service (s395(a)(ii))	Principal manager for area where child or young person was

	residing at death
Receive report of death of child or young person in the charge of any person or organisation under s362 (s395(b)(ii))	Principal manager for area where child or young person was residing at death
Report to the police (as soon as practicable) the death of any child or young person residing in a s364 residence. (s395(c))	Res Manager

Youth Justice

Child or young person arrested and placed in the custody of the Chief Executive

Functions/Tasks	Level
Receive delivery of child or young person arrested and placed in custody of Chief Executive by a constable. (s235(2))	SW
Receive on the prescribed form details from a constable relating to – (i) the identity of the child or young person; and (ii) the circumstances of the arrest of the child or young person; and (iii) the date and time of the intended appearance of the child or young person before the court having jurisdiction in the matter in relation to which the child or young person was arrested. (s 235(2)(b)(i), (ii), and (iii))	SW
Decision on placement of child or young person arrested and placed in custody of Chief Executive (s235(3))	SW
Decision to approve any person(s) as suitable custodians of a child or young person pending a hearing in the Youth Court. (s235(3))	SW •
Issue joint certificate (with Police) that grounds exist to detain young person in police custody. (s236(1)) (This provision does not apply to a child) (The legislation provides that any delegation by the Chief Executive of a function or power under this section must be made to senior employee/employees of OT	Sup
Written report to Chief Executive on certificates issued pursuant to section 236.	Sup

(s236(2))	
Receive reports and certificates pursuant to section 236(2).	Youth Justice Manager

Custody of child or young person pending determination of hearing

Functions/Task	Level
Receive from the Youth Court custody order placing child or young person in the custody of the Chief Executive pursuant to section 238(1)(d).	SW •
Decision on placement of child or young person ordered in custody pursuant to section 238(1)(d). (s242(1), s362, s365)	Sup•
Decision (with Police) that specified grounds exist for child or young person to be detained in police custody. (s242(1)(b)) (s242(3) requires any delegation of a function or power under s242 must be made to a senior employee or senior employees of the department)	Sup
Decision with police that specified grounds exist for child or young person to be detained in police custody for not more than 24 hours. (s242(1)(b))	Sup *
Application to Court for review of orders made pursuant to section 238.	Sup *

Other issues

Functions/Task	Level
Decision that it is impracticable for a child or young person detained in Chief Executive's custody to attend FGC which is to be held in respect of that child or young person. (s252(1))	Sup •
Decision as to reasonable conditions which may be necessary to prevent child or young person detained in Chief Executive's custody from absconding while attending FGC. (s252(2))	Sup
Arrange for the child or young person in custody to be taken to FGC. (s252(3))	SW •

Youth Justice: Family Group Conference

Holding the FGC

Functions/Task	Level
Attendance at an FGC convened under any other provision of Part 2 of the Oranga Tamariki Act (or under section 207D(3), 207K(2), or 207Q(2))	SW

Post-FGC

Functions/Task	Level
Decision not to give effect to decisions, recommendations or plans of a FGC because it is clearly impracticable or clearly inconsistent with the principles of the CYP&F Act. (s268)	YJ Manager
Notify YJ co-ordinator of non-agreement to give effect to decisions, recommendations and plans. (s268(2))	YJ Manager
Approve financial assistance to give effect to decisions, recommendations or plans of a FGC. (s269)	YJ Manager
Ascertain whether any victim of offence wishes to be notified of child's or young person's progress in taking action or steps under FGC decisions, recommendations, or plans (s269A(2)(a)) (only if the FGC has not nominated another person to perform the duties under s269A(2)(a) and (b)),	YJC
Notify any victim who wishes to be notified of that progress from time to time (s269A(2)(b)) (only if the FGC has not nominated another person to perform the duties under s269A(2)(a) and (b)),	YJC

Youth Court

Social work reports and plans for orders under section 283

Functions/Task	Level
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Preparation of plan to accompany s334 report (s335) (not for proposal to place child or young person under supervision of a person other than the Chief Executive or any organisation)	SW
Request that the Court obtain a cultural or community report. (s336)	SW
Make representation to Court on proposal to make orders when child or young person in guardianship of Chief Executive. (s288)	SW *
Approve any person, or organisation to supervise a young person on a community work order. (s298(2)(b)(ii))	Sup
Provide supervision to young person as specified in supervision order that places young person under the supervision of the Chief Executive. (ss283(k) and 304)	SW
Decision to give consent for a young person under the age of 16 who is on a supervision or supervision with residence order to undergo medical, psychiatric, or psychological examination or treatment, or any psychiatric counselling or therapy when a parent, guardian or other person so acting cannot be located in New Zealand. (s306(2)(b)(iii) and s319(b)(ii))	Sup * Field, where supervision is not in residence, Team Leader Operations Team Leader Clinical

Variations, discharge, cancellation of orders

Functions/Task	Level
Apply for variation or cancellation of a community work order. (s299 & s300)	SW *
Application for declaration that a young person has failed to comply with the requirements of a supervision or supervision with activity order. (s309(1))	SW *
Apply to the Youth Court to cancel, suspend, or vary any condition of a supervision or supervision with activity order.	Sup

Effectiveness reports

Functions/Task	Level
Preparation of effectiveness reports for orders made under section 283 (k), (l), (m) and (n). (s320)	SW

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Other matters

Functions/Task	Level
Apply to Court for appointment of lay advocate, where Chief Executive is the guardian or caregiver. (s326)	SW •*
Ensure young person (if in custody of Chief Executive) is taken to High Court for appeal hearings under sections 352 and 353. (s358)	SW
To be present at appeal when young person in care or guardianship of Chief Executive. (s359)	SW

Residences

Establishment of Residences

Functions/Task	Level
Establish and maintain section 364 Residences, (with approval of Minister). (s364(1))	CE
Direct closure of s364 Residence and transfer of children and young persons, (with approval of the Minister) and approval of Youth Court for transfer of any child or young person subject to a supervision with residence order under s311. (s366(1) and (2) and s312(3))	CE
Provision of facilities and equipment and personnel necessary to give effect to the Oranga Tamariki (Residential Care) Regulations 1996. (Regulation 25, Oranga Tamariki (Residential Care) Regulations 1996)	Manager Youth Justice Residences and Manager Care and Protection Residences
Provision of adequate training and resources to the staff of Residences to enable them to carry out their functions. (Regulation 25 Oranga Tamariki (Residential Care) Regulations 1996)	General Manager Youth Justice Residences and General Manager Care and Protection

	Residences
Preparation of National Code of Practice relating to the management of Residences. (Regulation 26 Oranga Tamariki (Residential Care) Regulations 1996)	DCE Youth Justice Services DCE Care Services
Review, at least every two years, of National Code of Practice. (Regulation 26 Oranga Tamariki (Residential Care) Regulations 1996)	DCE Youth Justice Services DCE Care Services
Provision of a venue for each community liaison committee to meet quarterly; and secretarial services as reasonably required for the committee to keep a record of its meetings. (Regulation 36(1) and (3) Oranga Tamariki (Residential Care) Regulations 1996)	Residence Managers Youth Justice Residence Managers Care and Protection Managers
Inspection of each Residence at least once each calendar year for the purposes of ensuring that the provisions of these regulations and sections 384B to 384K of the Oranga Tamariki Act are complied with. (Regulation 37(1) Oranga Tamariki (Residential Care) Regulations 1996)	DCE Chief Social Worker /Director of Professional Practice
As soon as possible after an inspection under Regulation 37(1), provision of a report in writing on that inspection to the Chief Executive. (Regulation 37(4) Oranga Tamariki (Residential Care) Regulations 1996)	Manager Youth Justice Residences and General Manager Care and Protection Residences

Supervision with residence orders

Functions/Task	Level
Authority to take young person to Residence as specified in s335 plan. (s312(2))	SW
Apply to Court for approval to transfer young person to any other Residence. (s312(3))	SW
Report to Court on whether young person subject to a supervision with residence order has absconded or committed further offences, behaved and complied with any obligations in s335 plan, and complied with any condition of	Site YJSW

Functions/Task	Level
the order that the young person undertake a specified programme or activity. (s314(2))	
Application to Court for cancellation of a supervision with residence order. (s316)	YJSW
Decision to search, without a warrant, in order to exercise authority vested in Chief Executive under section 312. (s318)	TL
Decision to authorise another person, other than a social worker to conduct a search without warrant. (s318)	Res Manager
Decision as to whether there is any person in New Zealand capable of giving consent to medical treatment. (s319(b)(ii))	TL •*
Give consent to medical treatment pursuant to section 319(b)(ii).	TL •*

Secure care

Functions/Task	Level
Place child or young person in secure care subject to ss368 to 370. (s367)	TL
Give notice to those entitled where child or young person is placed in secure care. (s369)	TL
Application for continued detention in secure care. (s371)	TL*
Attend hearing of an application under Section 371	TL

Discipline in Residences

Functions/Task	Level
Reasonably discipline a child or young person in Residence within limits in Residential Care Regulations. (s384)	Res Manager

Grievance Panels

Functions/Task	Level
Nominate to the Minister, members of grievance panels for every residence	General Manager

<p>established pursuant to s364 Oranga Tamariki Act 1989 after consultation with:</p> <ul style="list-style-type: none"> • The Principal Youth Court Judge • The Principal Family Court Judge; and • The Children's Commissioner 	Governance and Assurance
<p>Accept reports in writing from each grievance panel on the reviews carried out by the panel during the previous quarter pursuant to the grievance procedure (reviews will comment on whether, in the opinion of the grievance panel, there has been compliance with the grievance procedure, providing reasons for that opinion.)</p> <p>(regulations 31(4) and (5) of the Oranga Tamariki (Residential Care) Regulations 1996)</p>	General Manager Governance and Assurance
Review decisions about resident's complaints	Grievance Panel Members
Monitor and report quarterly on compliance with the complaints procedure	Grievance Panel Members
Approve payments to Grievance panel members	Res Manager
Ensure child or young person is aware of rights to dispute complaint or review outcome	Res Manager

Absconding by child or young person in Residence

Functions/Task	Level
Detain child or young person who absconds from a Residence. (s385)	Any staff member of the Residence
Decision to apply for warrant for authority to enter, search and remove child or young person who has absconded from or is absent from Residence. (s386)	TL

Referral of Offences

Functions/Task	Level
Decision to refer offences under s 446 (Oranga Tamariki Act) to police for prosecution	YJ Manager

Reporting of death of child or young person in Residence

Functions/Task	Level
Report to the police (as soon as practicable) the death of any child or young person in a Residence established under section 364 of CYP&F Act (whether or not the death occurred in Residence). S395(b)(i)	Res Manager
Report the death of a child or young person in Chief Executive custody or care pursuant to section 362 and who is in Residence to DCE North Or DCE South as appropriate. (s395(c))	Res Manager
Notify each victim of the offence if a child or young person dies; and at the time of his or her death, the child or young person was – on remand or the subject of supervision with residence order and was residing in a 364 residence.	Res Manager